

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

Ivan Thompson, et al.,	:	
Plaintiffs,	:	
v.	:	Case No. 2:16-cv-929
	:	JUDGE ALGENON L. MARBLEY
Ross County Humane Society,	:	Magistrate Judge Kemp
et al.,	:	
Defendants.	:	

REPORT AND RECOMMENDATION

Plaintiffs filed a complaint on September 27, 2016. The complaint was not accompanied by a filing fee or an application to proceed in forma pauperis. On October 19, 2016, the Court ordered plaintiffs to pay the filing fee in full or move for leave to proceed in forma pauperis within fourteen days. The Court also advised plaintiffs that their failure to do so may result in the dismissal of this action. Plaintiffs have not complied with the order nor requested an extension of time to do so. The Court's order has not been returned as undeliverable, and the Court assumes plaintiffs received it. They have not offered any explanation for their failure to comply with the order. Consequently, the Court will recommend that this action be dismissed for failure to pay the filing fee.

As set forth above, it is recommended that this action be dismissed without prejudice for failure to pay the filing fee pursuant to Fed. R. Civ. P. 41(b).

PROCEDURE ON OBJECTIONS

If any party objects to this Report and Recommendation, that party may, within fourteen days of the date of this Report, file and serve on all parties written objections to those specific proposed findings or recommendations to which objection is made,

together with supporting authority for the objection(s). A judge of this Court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made. Upon proper objections, a judge of this Court may accept, reject, or modify, in whole or in part, the findings or recommendations made herein, may receive further evidence or may recommit this matter to the magistrate judge with instructions. 28 U.S.C. §636(b)(1).

The parties are specifically advised that failure to object to the Report and Recommendation will result in a waiver of the right to have the district judge review the Report and Recommendation de novo, and also operates as a waiver of the right to appeal the decision of the District Court adopting the Report and Recommendation. See Thomas v. Arn, 474 U.S. 140 (1985); United States v. Walters, 638 F.2d 947 (6th Cir.1981).

/s/ Terence P. Kemp
United States Magistrate Judge